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Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
EDWARD PAGE AND TRAYVON SMITH,  
  
Defendants.

CASE NO. 1:21-CR-00227-ADA  
1:17-CR-00070-ADA

STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
ORDER

COURT: Hon. Ana de Alba

This case is set for a change of plea on October 7, 2022. By this stipulation, defendant now moves to vacate the change of plea hearing before Judge Jennifer L. Thurston on October 7, 2022 at 9:00 a.m. and to set the case for a change of plea before Judge Ana de Alba on October 17, 2022 at 8:30 a.m. and to exclude time between October 7, 2022, and October 17, 2022, under 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4].

1. The parties agree and stipulate, and request that the Court find the following:

a) The government has represented that the discovery associated with this case includes investigative reports and related documents, media evidence including cell phone extractions, photographs, search warrant affidavits, and social media account data. All this discovery has been either produced directly to counsel and/or made available for inspection and copying.

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b) Counsel for defendant desires additional time to consult with his client and prepare for the change of plea and sentencing.

c) Counsel for defendant believes that failure to grant the above-requested continuance would deny him/her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d) The government does not object to the continuance.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of October 7, 2022 to October 17, 2022, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

2. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: September 30, 2022

PHILLIP A. TALBERT  
United States Attorney

/s/ JUSTIN J. GILIO  
JUSTIN J. GILIO  
Assistant United States Attorney

Dated: September 30, 2022

/s/ Richard Beshwate  
Richard Beshwate  
Counsel for Defendant  
Edward Page

1 Dated: September 30, 2022

/s/ Eric Kersten

Eric Kersten  
Counsel for Defendant  
Trayvon Smith

6 IT IS SO ORDERED.

8 Dated: October 4, 2022

  
UNITED STATES DISTRICT JUDGE